UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1995/98
15 February 1995

ENGLISH
Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-first session
Agenda items 3 and 25

ORGANIZATION OF THE WORK OF THE SESSION

FOLLOW-UP TO THE WORLD CONFERENCE ON HUMAN RIGHTS

Report of the United Nations High Commissioner for Human Rights

CONTENTS

		Paragraphs	Page
	Introduction	1 - 6	4
I.	MANDATE OF THE HIGH COMMISSIONER	7 - 8	5
II.	MAIN FIELDS OF THE HIGH COMMISSIONER'S ACTIVITY . . .	9 - 85	6
	A. Promoting international cooperation in the field of human rights, including the universal ratification of human rights instruments	9 - 17	6
	B. Strengthening the implementation of all human rights	18 - 23	7
	C. Activities in the period November 1994-January 1995	24 - 27	11
	D. Responding to serious violations of human rights	28 - 32	13

CONTENTS (continued)

		Paragraphs	Page
E.	Acting to prevent violations of human rights from becoming serious or widespread	33 - 37	14
F.	Assisting countries in transition to democracy .	38 - 39	16
G.	Providing advisory services and technical assistance in the field of human rights	40 - 45	16
H.	Coordinating human rights activities within the United Nations system	46 - 49	18
I.	Adapting the United Nations human rights machinery to current and future needs	50 - 54	19
J.	Promoting the right to development and cultural, economic and social rights	55 - 60	21
K.	Combating discrimination and promoting the rights of persons belonging to groups requiring special protection: equal status and rights of women, the rights of the child and the rights of minorities and indigenous people	61 - 73	23
L.	Combating the most atrocious human rights violations, such as torture and involuntary disappearances	74 - 76	25
M.	Promoting human rights education and public information activities	77 - 81	26
N.	Implementing the Vienna Declaration and Programme of Action	82 - 85	27
III.	PROGRESS TOWARDS THE FULL IMPLEMENTATION OF THE RECOMMENDATIONS CONTAINED IN THE VIENNA DECLARATION AND PROGRAMME OF ACTION	86 - 131	28
A.	The outcome of Vienna - a promise and challenge to the international community	86 - 91	28
B.	Universal ratification of human rights instruments	92 - 93	29
C.	International cooperation and coordination of human rights activities; adaptation and strengthening of United Nations machinery for human rights	94 - 97	30

CONTENTS (continued)

		Paragraphs	Page
D.	Racism, racial discrimination, xenophobia and other forms of intolerance	98 - 100	31
E.	Equal status and human rights of women	101 - 105	32
F.	Persons belonging to vulnerable groups: children, minorities, indigenous people, migrant workers, disabled persons	106 - 112	33
G.	Torture, enforced disappearances	113 - 114	35
H.	The right to development, advisory services and technical assistance	115 - 120	35
I.	National institutions and non-governmental organizations	121 - 122	37
J.	Education and dissemination of information	123 - 125	37
K.	Implementation and monitoring	126 - 131	38
IV.	CONCLUSIONS	132 - 141	39

Introduction

1. The General Assembly at its forty-eighth session in resolution 48/141 decided to create the post of High Commissioner for Human Rights. On 14 February 1994 and pursuant to the terms of that resolution, the General Assembly confirmed the Secretary-General's nomination of Mr. José Ayala Lasso as first United Nations High Commissioner for Human Rights. On 5 April 1994 the High Commissioner took up his functions at Geneva.

2. The establishment of the post of the High Commissioner for Human Rights is a result of the consensus reached at the World Conference on Human Rights on approaching the sensitive issue of human rights from a global perspective and on seeking global solutions to human rights problems. The "spirit of Vienna" resulted in the Declaration and Programme of Action, adopted by the World Conference. The High Commissioner has reaffirmed his intention to preserve and constantly strengthen this spirit of international cooperation and solidarity so that the important tasks entrusted to him can be dealt with effectively.

3. The States Members of the United Nations, in creating the post by consensus, endowed the High Commissioner with political authority to express, in the area of human rights, the moral conscience of mankind. In keeping with the mandate, determined and multidimensional activities aimed at better promotion and protection of human rights are carried out in cooperation with Governments, United Nations specialized agencies, regional organizations, national institutions, non-governmental organizations and grass-roots organizations. The High Commissioner has committed himself to carrying out his functions with the sole objective of improving respect for all the human rights of every person in the world.

4. Since it was established in 1945, the United Nations has elaborated a comprehensive body of international human rights standards and put into place a complex system of international supervision of national respect for those standards which provide the High Commissioner with a solid foundation on which to build up his own specific activities. It was not intended that the High Commissioner would replace or duplicate the existing mechanisms. Rather, the High Commissioner is charged, inter alia, with using the tools of diplomacy to establish a dialogue with Governments in order to secure the greatest possible respect for all human rights and to provide needed assistance. Of course, these new methods are backed up by the ongoing work of the United Nations human rights programme.

5. The High Commissioner addressed the Economic and Social Council during its substantive session for 1994 (July 1994). Pursuant to the request contained in paragraph 5 of General Assembly resolution 48/141, the High Commissioner submitted a report (A/49/36) to the General Assembly at its forty-ninth session and is submitting the present report to the Commission on Human Rights at its fifty-first session. Since a relatively short time has passed since the submission of the report to the General Assembly, the present report provides an up-date of the High Commissioner's activities and should be read against the background of that report.

6. Pursuant to the request contained in paragraph 9 of Commission resolution 1994/95, this report contains a section (sect. III) on progress towards the full implementation of the recommendations contained in the Vienna Declaration and Programme of Action. That part has been prepared in the context of the report of the Secretary-General on the follow-up to the World Conference on Human Rights, submitted to the General Assembly at its forty-ninth session (A/49/668).

I. MANDATE OF THE HIGH COMMISSIONER

7. Pursuant to General Assembly resolution 48/141, the High Commissioner for Human Rights is the United Nations official with principal responsibility for United Nations human rights activities, under the direction and authority of the Secretary-General and within the framework of the overall competence, authority and decisions of the General Assembly, the Economic and Social Council and the Commission on Human Rights. Resolution 48/141 provides that the High Commissioner is to carry out his duties in an impartial, objective, non-selective and effective manner within the framework of the Charter of the United Nations, the Universal Declaration of Human Rights and other international instruments of human rights and international law, and that he is to be guided by the recognition that all human rights - civil, cultural, economic, political and social - are universal, indivisible, interdependent and interrelated. The High Commissioner has based his activities on three main principles: international cooperation at all levels; a comprehensive and integrated approach to the promotion and protection of human rights; and the participation of all actors in programmes, plans and projects to promote human rights at the international, national and local levels. These principles are applied in a spirit of dialogue, consensus and solidarity.

8. In keeping with his mandate and in the context of the Vienna Declaration and Programme of Action, the High Commissioner has oriented his activities towards:

Promoting international cooperation in the field of human rights;

Strengthening implementation of all human rights;

Responding to serious violations of human rights;

Acting to prevent violations of human rights from becoming serious or widespread;

Assisting countries in transition to democracy;

Providing advisory services and technical assistance in the field of human rights;

Coordinating human rights activities within the United Nations system;

Adapting the United Nations human rights machinery to current and future needs;

Promoting the right to development and the enjoyment of cultural, economic and social rights;

Combating racial discrimination; promoting the rights of persons belonging to groups requiring special protection: women, children, minorities and indigenous people;

Combating the most atrocious human rights violations, such as torture and involuntary disappearances;

Promoting human rights education and public information activities;

Implementing the Vienna Declaration and Programme of Action.

II. MAIN FIELDS OF THE HIGH COMMISSIONER'S ACTIVITY

A. Promoting international cooperation in the field of human rights, including the universal ratification of human rights instruments

9. Close cooperation between the High Commissioner and Governments, the United Nations agencies and programmes, other international organizations, national institutions for the promotion and protection of human rights and non-governmental organizations is an important instrument for strengthening national protection of human rights and building support for the United Nations human rights programme in general.

10. A key element in the High Commissioner's mandate as set out by the General Assembly is the responsibility of engaging in a dialogue with all Governments with a view to securing respect for all human rights. To ensure that his actions are effective, the High Commissioner must have the support and cooperation of Governments. The High Commissioner has invited all Governments to engage in a frank dialogue, without conditions or prejudice. The response to that call has been very encouraging. In pursuit of this dialogue, the High Commissioner has visited Switzerland, as the host country, Austria, Bhutan, Burundi, Cambodia, Colombia, Cuba, Denmark, Estonia, Finland, Germany, Japan, the Republic of Korea, Latvia, Lithuania, Malawi, Nepal, Norway, Rwanda and Sweden.

11. In the framework of his missions, the High Commissioner has urged States to ratify the human rights treaties they have not so far ratified and discussed strengthening national implementation of human rights through the preparation of national plans of action, the establishment of national institutions such as human rights commissions or an ombudsman, and the promotion of human rights education. He has stressed the need to promote and protect cultural, economic and social rights, as well as the right to development, and to consider the impact of various policies on those rights, especially with regard to the most vulnerable groups in society. The High Commissioner has raised issues relating to the promotion of the rights of women; the status of minorities and the status of non-citizens; the legal status of refugees and asylum seekers; the protection of the rights of children; and the conformity of national legislation with international

standards. He has also paid attention to the need for strengthening international cooperation on human rights, and for support for the United Nations human rights programme.

12. A permanent dialogue has been maintained with all the United Nations bodies dealing with human rights, including the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the various working groups they have established, as well as the treaty monitoring bodies. Cooperation has been developed with intergovernmental and national development agencies, with a view to integrating a human rights dimension into their development programmes.

13. Strengthening cooperation with all regional organizations dealing with human rights is an important objective. The tripartite meeting of the Council of Europe, the Conference on Security and Cooperation in Europe and Geneva-based United Nations programmes, held on 1 September 1994 and attended by the High Commissioner, dealt inter alia with these issues. Working contacts on various issues have been developed.

14. The High Commissioner has also initiated a dialogue with States and non-governmental organizations (NGOs) in order to develop or establish regional arrangements in the field of human rights. In the framework of the Third Asia-Pacific Workshop on Human Rights Issues (July 1994, Republic of Korea) he discussed questions related to setting up a regional or subregional human rights arrangement in Asia.

15. National institutions and non-governmental organizations are natural partners of the High Commissioner. Meetings and consultations with such institutions and organizations have become an important component of his country missions.

16. The High Commissioner will continue determined action aimed at promoting the universal ratification of human rights instruments, guided by the call of the World Conference for the universal ratification of the Convention on the Rights of the Child by the end of 1995, and of the Convention on Elimination of All Forms of Discrimination against Women by the year 2000. In cooperation with the United Nations Development Programme (UNDP) resident coordinators, the Secretary-General's letter to Governments encouraging ratification of international instruments will be followed up.

17. The High Commissioner has granted a large number of interviews to television, radio and the press, to enhance coverage of human rights issues, including international cooperation in this field, by the mass media, which have a very important role to play in human rights education and information.

B. Strengthening the implementation of all human rights

18. The United Nations human rights programme today increasingly focuses its activities on the implementation of the international human rights standards. The country rapporteurs, thematic special rapporteurs, working groups and the treaty bodies attach great importance to developing methods and means to improve the implementation of human rights (see paras. 48-49 and 127-129 below, concerning the latest coordinating meetings of these procedures

and bodies). The General Assembly at its forty-ninth session, in resolution 49/178, identified steps to be taken in this respect and reiterated its support for the related efforts and recommendations of the treaty bodies. It also urged States parties to make every effort to meet their reporting obligations and to address, as a matter of priority, at their next scheduled meetings, the issue of States parties consistently not complying with their treaty obligations. In its resolution 49/145, the General Assembly welcomed the innovatory procedures adopted by the Committee on the Elimination of Racial Discrimination for reviewing the implementation of the Convention in States whose reports are overdue. The General Assembly also, in resolution 49/178, recognized the important role of non-governmental organizations in the effective implementation of all human rights.

19. In keeping with his mandate, the High Commissioner is determined to contribute to a better implementation of human rights worldwide. During his missions to countries and on other occasions, he has stressed that although the adoption of legislation consistent with international standards is of paramount importance, it is still necessary to apply it in practice. Furthermore, the efficient functioning of the international human rights machinery, which assists the implementation of the international human rights standards, depends on the cooperation of the Member States. The High Commissioner, guided by the relevant resolutions of the General Assembly and the Commission on Human Rights, will assist the special procedures and the treaty bodies in their efforts towards better implementation of human rights.

20. The Commission on Human Rights, at its fiftieth session, observed encouraging trends. A growing number of countries have developed a working relationship with the Commission and its mechanisms. A number of countries have improved their human rights record. The language of the resolutions relating to South Africa reflects the momentous change in that country. The end of apartheid and the beginning of democracy through free elections are the achievements of a human rights process embodied in the presidency of Nelson Mandela. Another example of the worldwide process of transition to democracy and human rights is the return of President Aristide to Haiti, which was strongly demanded by the Commission on Human Rights, inter alia. Resolutions adopted by and the statement of the Commission at its fiftieth session under the agenda item concerning advisory services in the field of human rights have guided the provision of assistance to Albania, Cambodia, El Salvador, Georgia, Guatemala, Romania and Somalia.

21. The positive developments, however, are accompanied by the concern expressed by the General Assembly and the Commission with regard to (a) obstacles to the enjoyment of all human rights by all, (b) serious human rights violations and (c) difficult human rights situations in a relatively large number of countries. Resolutions of these bodies have drawn the attention of Governments, the United Nations system and the general public and have called for action with regard to extreme poverty and problems related to sustainable development, international debt, impunity, racial discrimination and discrimination against women, ethnic and religious intolerance, mass exoduses and refugee flows, armed conflicts and terrorism, and lack of the rule of law as major obstacles to human rights. The outcome of the intensive work concerning the right to development, as well as the strengthening of the interlinkage between democracy, development and human rights should provide a

helpful strategy to meet the needs in this respect. The General Assembly and the Commission and its mechanisms have for many years alerted the international community to widespread crimes of torture and enforced disappearance; arbitrary detention; violence against women, children and vulnerable groups; the problem of internally displaced persons; extrajudicial, summary or arbitrary executions, etc. The Commission has also elaborated measures to combat these violations at the national and international levels which should be applied with the greatest determination. Under the agenda item related to the question of violations of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories, the Commission expressed its concern about the human rights situation in Afghanistan, Angola, Burundi, Cuba, East Timor, Equatorial Guinea, Haiti, the Islamic Republic of Iran, Iraq, Kosovo, Myanmar, the Papua New Guinea island of Bougainville, the territory of the former Yugoslavia: Bosnia and Herzegovina, Croatia, and the Federal Republic of Yugoslavia (Serbia and Montenegro), southern Lebanon, Sudan and Zaire. Under agenda item 4, the Commission considered violations of human rights in the occupied Arab territories, including Palestine, and under agenda items 5 and 6, the situation in South Africa. In addition, various thematic procedures in their reports to the Commission pointed out serious human rights problems in a number of countries and made recommendations in this regard. Under the procedure established in Economic and Social Council resolution 1503 (XLVIII), the Commission had before it for consideration the human rights situations in Armenia, Azerbaijan, Chad, Estonia, Germany, Kuwait, Rwanda, Somalia and Viet Nam. The Commission decided to discontinue consideration of the human rights situation in Estonia, Germany, Kuwait, Somalia and Viet Nam. The High Commissioner in his dialogue with Governments raises issues related to specific situations with a view to securing respect for all human rights.

22. A particularly difficult situation arises when Governments refuse or limit their cooperation with the Commission or its mechanisms. This is a major obstacle to providing assistance to Governments and to those members of society who need it. The General Assembly at its forty-ninth session, in resolution 49/186, urged again all States to cooperate with the Commission on Human Rights in the promotion and protection of human rights and fundamental freedoms. Unfortunately, resolutions of the Commission give instances of non-compliance with this recommendation. For example, in its resolution 1994/39, the Commission noted with concern that, as the Working Group on Enforced or Involuntary Disappearances had stressed in its report, some Governments had never provided substantive replies concerning enforced disappearances alleged to have occurred in their countries, and deplored the fact that some Governments had not acted on the recommendations of the Working Group concerning them. In the same resolution, the Commission urged the Governments concerned, particularly those which had not yet acted with regard to communications transmitted to them, to intensify their cooperation with the Working Group. (See also General Assembly resolution A/49/193 on the question of enforced disappearances.) The very fact that the appeal to Governments to cooperate with the special procedures has been repeated by the General Assembly and the Commission in a number of their resolutions proves that cooperation is insufficient. Also, in resolutions adopted at its fiftieth session, the Commission frequently stressed its concern about the lack of or inadequate cooperation with the United Nations machinery, in

particular with the Commission's mechanisms. The Commission, in resolution 1994/72, deplored and condemned the continual refusal of the Bosnian Serbs authorities to permit the Special Rapporteur to conduct investigations in territory under their control. In resolution 1994/71, the Commission noted with deep regret the continued failure of the Government of Cuba to cooperate with the Special Rapporteur and its refusal to permit him to visit Cuba in order to fulfil his mandate. The Commission, in its resolution 1994/73, while noting that the Government of the Islamic Republic of Iran had responded to the Special Representative's request for information, also noted that it had not allowed him to pay a fourth visit to the country so that he might obtain direct and first-hand information on the current human rights situation. In its resolution 1994/74, the Commission expressed its regret that the Government of Iraq had not seen fit to respond to the formal request of the Special Rapporteur on the situation of human rights in Iraq to visit Iraq and that, despite the formal cooperation extended to the Special Rapporteur by the Government of Iraq, such cooperation needed to be improved. The Commission, in its resolution 1994/79, noted with displeasure the interference by the Government of the Sudan with the visit to the Sudan of the Special Rapporteur during September 1993. In its resolution 1994/81, the Commission expressed its concern that the Government of Papua New Guinea had not provided information to the Commission on actions it had taken during the previous year. The Commission was also gravely concerned that in southern Lebanon, occupied by Israel, the International Committee of the Red Cross and other humanitarian organizations had been impeded from accomplishing their humanitarian mission (resolution 1994/83) and deplored the fact that the Myanmar authorities had denied the Special Rapporteur on the situation in Myanmar access to the Nobel Prize laureate - Daw Aung San Suu Kyi (resolution 1994/85), who despite the resolution of the Commission is still under house arrest. General Assembly resolutions also refer to the majority of the aforementioned cases. In its resolution 49/196, the General Assembly condemned the continuing refusal of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serbs authorities to permit the Special Rapporteur to conduct investigations in territories under their control, and in resolution 49/204 considered that the re-establishment of the international presence in Kosovo to monitor and investigate the situation of human rights was of great importance in preventing the situation in Kosovo from deteriorating into a violent conflict. In keeping with his mandate, the High Commissioner assists the Commission, its mechanisms and other relevant parts of the United Nations human rights machinery, as well as Governments, in establishing and developing mutual working contacts with a view to implementing relevant Commission resolutions. Also, while undertaking missions to various countries, the High Commissioner is paving the way for cooperation between Governments and United Nations organs and bodies. His visits, however, do not replace missions and other activities of other competent mechanisms.

23. The implementation of human rights requires unimpeded cooperation of individuals and groups with the United Nations and representatives of its human rights bodies. The Commission reiterated in resolution 1994/70 its concern at the continued reports of intimidation and reprisals against private individuals and groups who seek such cooperation. The General Assembly referred, in its resolutions 49/197 and 49/198, to acts of deprivation of freedom of people who contacted or were seeking to communicate with the

respective special rapporteurs in Myanmar and in the Sudan. The High Commissioner will pay close attention to this issue in all his contacts with Governments, as well as with NGOs and other parts of civil society. No one should be deprived of his or her freedom because of cooperation with the United Nations and representatives of its bodies.

C. Activities in the period November 1994 - January 1995

24. After the submission of his first report to the General Assembly, which contained information on his visits to countries, the High Commissioner undertook missions to Colombia and Cuba at the invitation of the respective Governments. The purpose of these visits was the advancement of the promotion and protection of human rights and the strengthening of ties between the countries concerned and the United Nations human rights programme.

25. From 15 to 19 November 1994, the High Commissioner visited Cuba. The main purpose of his visit was to establish a dialogue with the Government on all matters concerning the promotion and protection of human rights, including the United Nations human rights programme as a whole; the right to development; the human rights situation in Cuba; and the implementation of the mandate of the High Commissioner for Human Rights. In addition, it was the desire of the High Commissioner to facilitate contacts and cooperation between the mechanisms of the Commission on Human Rights and the Government of Cuba. The mission was primarily action oriented and directed at making measurable progress in the field of human rights. The High Commissioner discussed human rights matters with the President and other high authorities of the country. He also met representatives of civil society, including informal non-governmental organizations. The High Commissioner had the opportunity to become acquainted with the efforts of the Government with regard to the infrastructure for cultural, economic and social rights. The authorities informed him about the obstacles to development which, in the view of the Government, limited the results of its action. The High Commissioner emphasized with all his interlocutors matters relating to the better promotion and protection of human rights, including ratification of international human rights instruments; the need for improvements in national legislation to make it fully consistent with international human rights standards; the importance of establishing national institutions for the promotion and protection of human rights and of ensuring the independence of the judiciary. The High Commissioner also stressed the obligation of all Governments to ensure respect for and observance of all human rights, including civil and political rights, and to cooperate with the United Nations organs, bodies and mechanisms acting in the field of human rights, including the country rapporteur established by the Commission on Human Rights. He expressed his deep concern about the number of persons who were reported to be political prisoners. While making reference to the linkage between democracy, development and human rights, the High Commissioner referred to the pertinent resolutions of the General Assembly and stipulations of the Vienna Declaration and Programme of Action which stressed the role of normal economic and trade relations in creating conditions for sustainable development in all spheres of life, including the area of cultural, economic, and social rights. The High Commissioner offered advisory services and technical assistance to the efforts

aimed at the protection of human rights. It was agreed that the dialogue would continue. The representatives of the Government assured the High Commissioner that his opinions and comments would be carefully examined with a view to implementing them.

26. From 12 to 14 December 1994, the High Commissioner visited Colombia. This mission took place relatively shortly after a new Government had been installed and the President had made a statement announcing a new policy in the field of human rights. The President acknowledged that his country was facing serious human rights problems and announced that all necessary measures would be taken in order to overcome the situation. A positive attitude to close cooperation with the Commission on Human Rights and its thematic mechanisms was also a part of this approach to human rights issues. At the invitation of the Government of Colombia, the Special Rapporteur on extrajudicial, summary and arbitrary executions and the Special Rapporteur on torture visited the country. In his dialogue with the President and other high ranking representatives of the Government, as well with the human rights community, the High Commissioner stressed the need for concerted efforts to improve the human rights infrastructure and prevent human rights violations. Joint efforts were all the more important in the context of the challenges presented by the high rate of crime and other acute social problems. The question of the responsibility of perpetrators of human rights violations was also one of the major topics discussed by the High Commissioner with the authorities. It is worth noting in this respect that the President announced his determination to combat impunity, which will, however, require a number of legislative reforms. Several interlocutors from non-governmental organizations and parliamentary circles expressed the need to establish a United Nations mechanism that could provide assistance on human rights issues. A programme of advisory services and technical assistance will be developed in Colombia by the Centre for Human Rights, especially in connection with legislative reforms and the administration of justice. A follow-up needs assessment mission should be sent to Santa Fé de Bogotá very soon. The High Commissioner also met the heads of the various United Nations agency and programme offices in Colombia.

27. The High Commissioner has undertaken action with regard to the human rights situation in Chechnya. He carried out a number of consultations with Permanent Representatives at Geneva, including the Permanent Representative of the Russian Federation, as well as with United Nations agencies and international organizations, including the Organization for Security and Cooperation in Europe, and non-governmental organizations. During his meeting with the Minister for Foreign Affairs of the Russian Federation in Geneva on 17 January 1995, the High Commissioner reiterated his profound preoccupation at the reports of violations of human rights and humanitarian law in Chechnya, characterized by a large number of civilian victims, and appealed once again for an immediate end to violence and violations of human rights in full respect for the Charter of the United Nations, the Universal Declaration of Human Rights, international human rights instruments and humanitarian law. The High Commissioner offered the cooperation of his office in connection with the promotion of human rights and the provision of technical assistance for the re-establishment of basic human rights infrastructure. He also reiterated his proposal to send as soon as possible a mission to Moscow and Chechnya to meet with all concerned.

D. Responding to serious violations of human rights

28. The General Assembly entrusted the High Commissioner with the responsibility of playing an active role in preventing the continuation of human rights violations throughout the world, as reflected in the Vienna Declaration and Programme of Action. The activities of the High Commissioner in this regard opened a new avenue of United Nations action. His appeals addressing specific problems or cases created a new framework for a continuing dialogue on human rights with all the actors involved.

29. The High Commissioner responded with a comprehensive action to the tragic human rights situation in Rwanda. He undertook two missions to this country and urged in May 1994 from its capital all the protagonists to put an end to the massive violations of human rights, to conclude a cease-fire without delay and to allow humanitarian aid to be dispatched to all those who needed it. On 24 and 25 May 1994, at the request of the Government of Canada, following a suggestion by the High Commissioner, the Commission on Human Rights held its third special session, to consider the human rights situation in Rwanda. Pursuant to Commission resolution S-3/1, a special rapporteur for Rwanda was appointed and was requested to report to the Commission on the human rights situation in that country and to gather and compile information on possible violations of human rights and acts which might constitute breaches of international humanitarian law and crimes against humanity, including acts of genocide. The High Commissioner presented to the Commission at its third special session a report on his mission to Rwanda and the region (E/CN.4/S-3/3), and made recommendations for specific action to bring the cycle of violence in that country to an end. On 15 September 1994, after his second visit to Rwanda, the High Commissioner presented a detailed preliminary operational plan for the human rights field operation in Rwanda, designed to support the work of the Special Rapporteur and the Commission of Experts established pursuant to Security Council resolution 935 (1994), and to provide advisory services. That plan described the legal and conceptual framework for the High Commissioner's activities in Rwanda and laid out the resource requirements. A revised operational plan was presented during the UNDP round table on Rwanda on 18 and 19 January 1995 (see para. 30 below).

30. Through his local office, the High Commissioner is conducting a human rights field operation in Rwanda (a) to carry out investigations into violations of human rights and humanitarian law, (b) to monitor the ongoing human rights situation, essentially for the purposes of the mandate of the Special Rapporteur, (c) to cooperate with other international agencies in re-establishing confidence and thus facilitate the return of refugees and displaced persons and the rebuilding of civic society, (d) to implement programmes of technical cooperation in the field of human rights. In the framework of this human rights field operation, more than 100 personnel are employed in Rwanda at present. The High Commissioner participated on 18 and 19 January 1995 in a round table on assistance to Rwanda, organized by UNDP, and on 20 January 1995 in a consolidated appeal on Rwanda organized by the Department of Humanitarian Affairs. Both events took place at Geneva. The case of Rwanda exemplifies the spirit in which the High Commissioner may act in emergency human rights situations.

31. Since his appointment, the High Commissioner has been in close contact with the Special Rapporteur on the human rights situation in the former Yugoslavia, whose mandate is served by a field operation of the Centre for Human Rights. He has also established contacts with the Special Representative of the Secretary-General for the former Yugoslavia with a view to strengthening and enhancing human rights activities in Bosnia and Herzegovina. In the light of the request of the Government for assistance, following the establishment of the Federation of Bosnia and Herzegovina, and the terms of the December 1994 agreements on cease-fire and cessation of hostilities, the High Commissioner for Human Rights, after consultation with the Secretary-General and his Special Representative, took the initiative of convening a meeting on 3 February 1995 to develop, in close cooperation with other United Nations bodies operating in Bosnia and Herzegovina, a coordinated and more effective response to human rights requirements in the country.

32. The cooperation of countries is strongly required in securing support needed to carry out activities rapidly and effectively in situations of serious human rights violations and where preventive action is necessary. The following areas are of particular importance: (a) logistical assistance capacity on a standby basis to provide material, communications and other support for emergency or preventive field missions; (b) the establishment and maintenance of an international roster of specialized staff to be available at short notice for human rights field missions (investigation teams, human rights field officers, legal experts, etc.); (c) increased contributions to the Voluntary Fund for Technical Cooperation in order to cover the financial needs of field missions and advisory services assistance. The response of Governments, international organizations and United Nations agencies and programmes, as well as non-governmental organizations, to the request by the High Commissioner for assistance in the above-mentioned areas has been very encouraging. However, meeting these needs requires continuous cooperation.

E. Acting to prevent violations of human rights from becoming serious or widespread

33. In accordance with General Assembly resolution 48/141, the High Commissioner has the responsibility to play an active role in removing the current obstacles and in meeting the challenges to full realization of all human rights. The High Commissioner himself has repeatedly stressed that the prevention of human rights violations constitutes an essential part of his action. He avails himself of every possibility of acting at the diplomatic level to obtain rapid and substantive results with individual Governments and in relation to specific matters. Close cooperation between the High Commissioner and the special procedures and treaty bodies and the relevant agencies and programmes can play a most useful role both in providing early warning of future disasters and in mitigating or even avoiding such disasters. Experience has shown that the provision of advisory services and technical assistance in appropriate cases can be an important element in preventing violations of human rights.

34. A system-wide policy for preventing serious human rights violations is being devised. It will be based on early-warning arrangements and other forms of interaction between United Nations agencies and relevant departments of the United Nations Secretariat. It will be important in the future to have as

early notice as possible of situations in which various elements of the United Nations human rights programme could play a role in preventing the outbreak of serious violations of human rights. In this connection, the High Commissioner has written to the Chairpersons of human rights treaty bodies, to the special rapporteurs and representatives, experts, and working groups established by the Commission on Human Rights, as well as to United Nations agencies and programmes and non-governmental organizations to invite them to call his attention to situations which might need preventive action. At their fifth meeting, from 19 to 23 September 1994, the Chairpersons of the human rights treaty bodies urged those bodies to take all appropriate measures in response to situations of massive violations of human rights, including bringing those violations to the attention of the High Commissioner for Human Rights, as well as of the Secretary-General. The High Commissioner has already taken steps to enhance the Centre's capacity to analyse and review information resulting from the activities of special rapporteurs, working groups of the Commission on Human Rights and the treaty bodies with respect to situations which might need preventive action.

35. The United Nations human rights presence which has been set up in Burundi in cooperation with the Government provides an example of preventive action taken by the High Commissioner. The crisis in Rwanda could have had negative repercussions in Burundi, which had managed to maintain relative calm after the death of its President on 6 April 1994. The High Commissioner visited Burundi twice to support the action of the Government and others in promoting respect for human rights and thus contributing to a stabilization of the situation. Benefiting from the cooperation and expertise of the Special Representative of the Secretary-General of the United Nations in Burundi, the UNDP Resident Representative and other United Nations field officers, the High Commissioner elaborated proposals concerning a programme of cooperation and technical assistance in the field of human rights for Burundi. Agreement with the Government of Burundi was reached on this programme, which will be part of a comprehensive integrated approach to be carried out in close cooperation with all United Nations agencies and programmes present in Burundi.

36. An office of the High Commissioner has been established in Bujumbura to implement the above agreement. It has since been agreed with the Government to strengthen the assistance programme in the following areas: (a) training and educational activities (particularly for the judiciary, the police, the gendarmerie and the military); (b) advisory services of experts on human rights (particularly for the military and the judiciary); (c) human rights fellowships; (d) human rights documentation; (e) promotional activities for a human rights culture; (f) support for the Centre for Human Rights of Bujumbura; and (g) assistance to the human rights promotional activities of national human rights NGOs, such as, the two human rights leagues. Since his second visit to Burundi, the High Commissioner has stressed the importance that an enhanced human rights presence within the framework of his office would have in ensuring the promotion of human rights and acting as a deterrent with respect to possible future violations. In view of the deteriorating situation in Burundi, the Security Council decided to send a mission there in February 1995. From 15 to 17 February 1995, the Organization of African Unity

and UNHCR organized a regional conference in Bujumbura on the issues of refugees and displaced persons. Representatives of the High Commissioner attended a number of meetings organized by NGOs on Burundi, most recently a meeting organized by International Alert in London on 3 February 1995.

37. The General Assembly, in its resolution 49/204, requested the Secretary-General to seek ways and means, including through consultations with the High Commissioner and relevant regional organizations to establish an adequate monitoring presence in Kosovo and to report thereon to the General Assembly.

F. Assisting countries in transition to democracy

38. A number of countries worldwide are in transition from authoritarian to democratic rule, which opens the avenue to the full protection of human rights in those countries. This crucial process requires encouragement and international cooperation, as stressed by the World Conference on Human Rights in the Vienna Declaration and Programme of Action. The provision of assistance aimed at establishing and strengthening human rights infrastructure, the rule of law and democracy is a momentous responsibility of the United Nations and, in particular, of its human rights programme. To ensure this assistance, emphasis has been placed on two major objectives: (a) the elaboration of national human rights programmes which should be carried out in cooperation with the United Nations and (b) the strengthening of the related United Nations infrastructure. The reaction of Governments to the High Commissioner's initiatives in this respect has been very positive.

39. The cooperation of the United Nations with the Government of Malawi is an example of assistance to countries in transition. The Centre for Human Rights provided advisory services to Malawi in connection with that country's 1993 referendum on multiparty democracy, the preparations for the multiparty elections of 1994 and the drafting of a new constitution. During his visit to Malawi, the High Commissioner and the Vice-President of the Republic signed a Joint Declaration of Cooperation for the Development of Programmes for the Promotion and Protection of Human Rights in Malawi. The programme will run for two years from 1 January 1995. It covers several areas of priority need, such as constitutional reform, assistance to the judiciary, training of the police and the military, human rights education in primary and secondary schools, support to the civil society, to the Parliament and to structures concerned with the administration of justice, such as jails and detention centres. The office of the High Commissioner for Human Rights in Lilongwe was opened in mid-November 1994 for the purpose of assisting in the implementation of the programme.

G. Providing advisory services and technical assistance in the field of human rights

40. The United Nations programme of advisory services and technical assistance is a crucial instrument for the promotion of human rights. The General Assembly, in resolution 48/141, entrusted the High Commissioner with the responsibility for providing, through the Centre for Human Rights or other appropriate institutions, such services and assistance at the request of the State concerned and, where appropriate, the regional human rights

organizations, with a view to supporting actions and programmes in the field of human rights. The strengthening of this United Nations programme was strongly recommended by the World Conference on Human Rights as one of the principal means for achieving the objectives laid down in the Vienna Declaration and Programme of Action. The General Assembly in its resolution 49/178 requested the High Commissioner to report regularly to the Commission on possible technical assistance projects identified by the treaty bodies.

41. The present objectives of the programme of advisory and technical assistance implemented by the Centre for Human Rights result predominantly from the Vienna Declaration and Programme of Action and are oriented towards: facilitating the process of ratification or accession to international human rights instruments; assisting legislative reforms bringing national laws into line with international human rights standards; assisting States in implementing the recommendations of human rights treaty bodies; the protection of groups rendered vulnerable, such as minorities, indigenous people, women, children, migrant workers, disabled persons, refugees and displaced persons; strengthening the rule of law and democratic institutions, assistance to the judiciary, including training in the administration of justice and police officials as an important element for improving the observance of human rights, as well as of human rights aspects of electoral assistance; assisting States in meeting their reporting obligations under the various human rights treaties. The Centre also assists in the elaboration of national plans of action in the field of human rights, which are supported by the programme of technical assistance. In an increasing number of States, comprehensive country programmes are being carried out in the framework of advisory services and technical assistance.

42. The coordination of advisory services programmes in the field of human rights is the responsibility of the High Commissioner and the Centre for Human Rights. The latter is a focal point and a clearing house for requests by Member States for technical cooperation in the field of human rights. The High Commissioner developed his vision of a new and enhanced partnership with relevant human rights institutions and NGOs in the implementation of technical assistance programmes. He underlined the availability of the advisory services and technical assistance to the whole human rights constituency, including national institutions, non-governmental organizations, academic institutions and grass-roots organizations. Furthermore, non-governmental organizations and academic institutions are expected to contribute to the advisory services and technical assistance programme, if their capacities permit it.

43. In the context of the transition in Haiti, the General Assembly, in its resolution 49/201, requested the Secretary-General, through the High Commissioner and the Centre for Human Rights, to take appropriate steps for the urgent establishment, in conjunction with the International Civilian Mission to Haiti, of a special programme of assistance to the Government and people of Haiti in their efforts to ensure the observance of human rights. Appropriate preparatory steps, especially with regard to financial and human resources, are being taken.

44. Multidimensional programmes of advisory services and technical assistance are conducted by the Centre for Human Rights in the Eastern and Central European countries which are in transition from authoritarian to democratic rule. They range from constitutional and legislative assistance; human rights training in the administration of justice, for teachers, police and prison administrators; assistance for parliamentarians, academic institutions and non-governmental organizations, to assistance in human rights aspects of the electoral process.

45. The High Commissioner discussed advisory services and technical assistance programmes in particular during his visits to Burundi, Bhutan, Cambodia, Colombia, Cuba, Estonia, Latvia, Lithuania, Malawi and Nepal (see the report of the High Commissioner to the General Assembly at its forty-ninth session (A/49/36)).

H. Coordinating human rights activities within the United Nations system

46. United Nations agencies and programmes, other international organizations, national human rights institutions and non-governmental organizations all have important contributions to make to promoting human rights. Cooperation and coordination among those bodies is essential for contributing to the achievement of the purposes of the United Nations in the field of human rights through better management, greater efficiency and cost effectiveness. Pursuant to General Assembly resolution 48/141, the High Commissioner is responsible for system-wide coordination of activities aiming at the promotion and protection of human rights. A permanent dialogue with the United Nations agencies and programmes has been established to maintain systematic exchange of information, experience and expertise; in addition, operational cooperation and coordination are being developed. Working agreements or memoranda of understanding between the High Commissioner and the United Nations agencies have been concluded or are under preparation. They are based on the identification of areas of common interest and joint action in the field of human rights. The High Commissioner took part in the 11-12 April 1994 session of the Administrative Committee on Coordination concerning the coordination of efforts aimed at the full implementation of the Vienna Declaration and Programme of Action (see para. 94 below).

47. Coordination of activities was among the central objectives of meetings and contacts the High Commissioner had with the heads of UNICEF, UNDP, UNHCR and UNESCO and other United Nations agencies and programmes and the International Organization for Migration. It should be noted that cooperation with United Nations agencies and programmes has increased substantially in connection with the human rights field operations and provided a solid base for cooperation in other areas as well. Operations in Rwanda, Burundi, Malawi, Bosnia and Herzegovina, Croatia and the Former Yugoslav Republic of Macedonia are examples of such cooperation.

48. Reinforcing coordination and cooperation is closely connected with the rationalization of the United Nations machinery in the field of human rights. In this context, the High Commissioner chaired the first meeting of special rapporteurs, experts and chairpersons of working groups of the Commission on Human Rights, held at Geneva from 30 May to 1 June 1994. The High Commissioner stressed that the work of the special rapporteurs, experts and

working groups was an important pillar of the implementation of human rights and that he did not intend to duplicate or substitute himself for those mechanisms. He has overall competence for the promotion and protection of human rights and special rapporteurs are entrusted with mandates relating to specific subjects or situations. These mandates require fact-finding, investigation and the assessment of phenomena, situations and cases, and, as far as advisory services experts are concerned, the development of comprehensive programmes of human rights assistance and training. In this framework, the mandate of the High Commissioner is essentially one of facilitation and coordination and of promoting follow-up action to implement recommendations made by special rapporteurs, experts and working groups (see also para. 127 below). The priority areas, where enhanced cooperation and exchange of information with and among special rapporteurs, working groups, and treaty bodies should be ensured, are the following: (a) early warning on emergency human rights situations; (b) field missions by the various special rapporteurs or working groups; (c) follow-up action of the High Commissioner to recommendations made by special rapporteurs and working groups; (d) the work of other implementation mechanisms and the provision of advisory services and technical assistance to Member States.

49. During the fifth meeting of the Chairpersons of human rights treaty bodies, the High Commissioner underlined the importance of the treaty bodies to the human rights activities of the United Nations, as was recognized by the World Conference, stressed his commitment to supporting the work of those bodies. The regular meetings of the Chairpersons are an important method of improving and coordinating the work of the United Nations human rights machinery (see also para. 128 below).

I. Adapting the United Nations human rights machinery to current and future needs

50. The mandate of the High Commissioner includes specific responsibility for rationalization, adaptation, strengthening and streamlining of the United Nations machinery in the field of human rights with a view to improving its efficiency and effectiveness. The World Conference on Human Rights recognized the necessity for a continuing adaptation of the United Nations human rights machinery to current and future needs in the promotion and protection of human rights, as reflected in the Vienna Declaration and Programme of Action, within the framework of balanced and sustainable development. In line with the Vienna Declaration and Programme of Action, measures should be taken urgently to make the human rights machinery: (a) more effective and cost efficient; (b) able to act swiftly and to respond appropriately to human rights situations; (c) stronger, through international cooperation in the field of human rights, based on mutual confidence; and (d) more transparent and understandable to the outside world. The activities of the machinery should be supported by an easy accessible and efficient overall system of information and documentation based on modern technology. Paragraph 9 of General Assembly resolution 49/208, in which the Assembly requested the High Commissioner to submit a report with a detailed plan of the human and financial resource requirements for the implementation of the recommendations of the Vienna Declaration and Programme of Action, requires an integrated approach to the reform of the United Nations human rights machinery.

51. The High Commissioner bases his activities related to the adaptation of the United Nations machinery to the current and future needs in the field of human rights on the following premises:

(a) The adjustment of a given organ or body to the new needs remains the primary responsibility of this organ or of another organ vested with a special competence to take proper decisions. The High Commissioner thus assists and facilitates human rights organs and bodies in their endeavours;

(b) In cooperation with the relevant organs and bodies, the High Commissioner will analyse the existing United Nations human rights machinery with a view to working out proposals for its overall adaptation to current and anticipated needs and for better coordination of human rights activities;

(c) The High Commissioner in cooperation with these organs and bodies will undertake measures to strengthen the implementation of their recommendations and decisions (for example, cooperation with special procedures and treaty bodies in this regard).

52. The adaptation of the machinery should be perceived as a multidimensional and continuing process in the framework of which reforms relating to specific organs or procedures are placed against the background of the overall adaptation of the United Nations human rights machinery. New solutions should be introduced gradually, taking into account the need for practical verification and the possibility of change, if necessary. It is of vital importance to start the process of adaptation in practical terms without unnecessary delay.

53. In accordance with General Assembly resolution 48/141, the High Commissioner for Human Rights has responsibility for the overall supervision of the Centre for Human Rights. The Centre, as the principal unit of the Secretariat dealing with human rights issues, and the High Commissioner for Human Rights represent a unity of action whereby the High Commissioner sets the policy directions and the Centre implements those policies. The High Commissioner for Human Rights and the Centre for Human Rights maintain an office at United Nations Headquarters in New York.

54. The High Commissioner will assess needs related to the adaptation of the United Nations secretariat structures dealing with human rights, including the Centre for Human Rights. In that regard, the Office for Inspections and Investigations, the predecessor of the Office of Internal Oversight Services, carried out, in June 1994, a review of the programme and administrative practices of the Centre for Human Rights which gave rise to a number of recommendations, concerning inter alia: the translation of the Vienna Declaration and Programme of Action into strategic priorities and objectives; the reappraisal and restructuring of the Centre's programme of work; the reorganization of the Centre's secretariat to respond more adequately to the programme of work and facilitate the implementation of its interrelated objectives and priorities; the strengthening of the Centre's administrative services; and the training in management and administration of the staff of the Centre. The Under-Secretary-General for Internal Oversight Services

discussed those recommendations with the High Commissioner and the Centre for Human Rights. The High Commissioner, within the context of his mandate, has decided on the following approach in order to implement the recommendations of the June 1994 review. As a first step, a discussion at the level of the Centre's secretariat will assess the Centre's expe ience in the implementation of its work programme, identify the gaps and weaknesses in the existing methods, and determine the changes needed to address the issues raised in the June 1994 review. Parallel to that, consideration will be given to basic themes under which the mandates of the Human Rights programme as reflected in the Vienna Declaration, the High Commissioner's mandate and the specific mandates given to the Centre by policy making organs could be organized. Based on the information and ideas so generated, a detailed study will be carried out on how best to adapt the structure of the secretariat to the new priorities of the Vienna Declaration and Programme of Action and to respond to the gaps and weaknesses identified inter alia in the June 1994 review. The recommendations will then be reviewed and implemented. The time-frame for the above exercise is expected to be from mid-March to the end of June 1995. In addition to the above, steps have already been taken to strengthen the administrative services of the Centre and to provide training to staff in administration and management.

J. Promoting the right to development and cultural, economic, and social rights

55. The High Commissioner is specifically charged with promoting and protecting the realization of the right to development and enhancing support from relevant bodies of the United Nations system for this purpose. This mandate is placed firmly within the perspective of the World Conference, which clearly announced the interdependent, interrelated and indivisible nature of all human rights, and called for action at the national and international levels to promote and protect those rights.

56. It is essential to give high priority to promoting cultural, economic, and social rights and the right to development as areas which have not always received adequate attention. The High Commissioner has participated in two sessions of the Working Group on the Right to Development of the Commission on Human Rights and met with the Committee on Economic, Social and Cultural Rights to present his views on these matters. The High Commissioner is also following closely the implementation of the Commission's request for high-level consultations with heads of State or Government, heads of multilateral financial institutions, specialized agencies and intergovernmental and non-governmental organizations on adequate measures to be implemented to find a durable solution to the debt crises of the developing countries.

57. Protecting cultural, economic, and social rights is particularly important during periods of structural adjustment and during transitions to market economies. Too often basic rights such as those to health, food, shelter and education receive insufficient protection and the victims are often children. This is a matter which government policy makers and parliaments in particular should keep in mind.

58. In order to provide direction and focus to the implementation of his mandate in this area the High Commissioner is undertaking the formulation of a strategy for the implementation of the right to development and the protection of cultural, economic, and social rights. This will be done in consultation with the organizations, agencies, programmes, bodies and organs involved in the various aspects of the subject and will include: cooperation with the agencies and treaty-based bodies, especially the Committee on Economic, Social and Cultural Rights, and experts of the Sub-Commission in order to identify ways of improving implementation of the right to development and cultural, economic, and social rights; consideration of the application of findings and recommendations made by the Working Group on the Right to Development; concluding the preparation of the procedures to enable communications to be made concerning cultural, economic, and social rights; pilot projects to implement the right to development and cultural, economic, and social rights; promotion of the right to development and cultural, economic and social rights at the national level; and identification of the international action necessary to promote the right to development. Cooperation with international/regional finance and development organizations and with the regional economic commissions will be an important part of the strategy. In its resolution 49/183, the General Assembly expressed its support for the current initiatives of the High Commissioner to consult with all relevant bodies, funds, programmes and specialized agencies of the United Nations system on how they may promote the right to development.

59. Another important part of the strategy will be the translation of the multidimensional concept of the right to development to the national level. Here, the United Nations advisory services and technical assistance programme in the field of human rights has an important role to play. Criteria can be elaborated which could be applied in needs assessment country missions to identify areas where assistance focusing on cultural, economic, and social rights and the right to development might be suggested. Model projects in this area to provide a basis for decision, a roster of experts, and a manual on promoting the right to development could be developed. Training programmes at the national and local levels addressed to policy makers, parliamentarians and others whose decisions affect human rights could be designed to raise awareness of the interdependent nature of human rights and social and economic development activities. Finally, concrete projects supporting popular participation may be proposed.

60. The results of the dialogue established within the Administrative Committee on Coordination concerning the development of indicators of progress in human rights and the assessment of the impact of the strategies and policies of the various agencies and programmes on the enjoyment of all human rights will play an important role in promoting the right to development and cultural, economic and social rights. In addition, a senior-level meeting of experts will be convened to evaluate results achieved in the implementation of cultural, economic, and social rights. These measures will be carried out in the context of the Secretary-General's Agenda for Development.

K. Combating discrimination and promoting the rights of persons belonging to groups requiring special protection: equal status and rights of women, the rights of the child and the rights of minorities and indigenous people

61. The effective promotion and protection of human rights require concerted efforts to eliminate racial discrimination and racism and to strengthen mutual tolerance between groups and individuals. During his missions to countries, the High Commissioner has raised these matters and suggested steps which might help to eliminate discrimination.

62. States should consider, if they have not already done so, adopting legislation which declares discrimination illegal. Such legislation must be enforced by the judicial and the executive branches. This is important, not least because law and its enforcement are powerful tools of education. Model legislation against racial discrimination, which has been prepared recently by the United Nations, may also be a useful tool in this connection.

63. Human rights education and the creation of a climate of tolerance and understanding between different communities should play a significant role in combating discrimination. In this context, the different cultures, which constitute a common heritage of all, have an important role to play. Cultural multiplicity must be perceived as a means of enriching human values and strengthening human rights standards and not as an opposition to the universality of these rights. Sensitivity training in the early school years and the broader based community action programmes are important tools to achieve this objective.

64. Consideration should also be given to setting up community relations commissions not only in areas where tensions have actually emerged but also as a general mechanism in all communities. Such commissions could reinforce existing inter-group understanding and identify at an early stage the seeds of future tension so as to act preventively. The participation of vulnerable groups in the elaboration of national and local plans of action is also crucial as a tangible recognition of their dignity and of the principle of equality.

65. The rise in xenophobia and new forms of racial and ethnic discrimination, including "ethnic cleansing", and in reported attacks on migrant workers, immigrants, asylum seekers and refugees are matters of serious concern. During his missions, the High Commissioner raised this issue. He received assurances that the authorities concerned were determined to take the necessary measures to deal with such manifestations. In this context, the European Union's Declaration on the subject, adopted at the Corfu summit in June 1994, is to be welcomed.

66. The activities of the International Year of Tolerance proclaimed by the General Assembly for 1995 and the follow-up programme for the Year for which UNESCO is the lead organization must be supported and highlighted. Close cooperation between UNESCO and the High Commissioner/Centre for Human Rights should contribute to the accomplishment of the objectives of the Year. The High Commissioner is cooperating with UNESCO in the drafting of the declaration of principles and programme of action resulting from the Year.

67. Equal status and human rights of women are of the utmost importance. Impetus is being given to the integration of the human rights of women into the mainstream of the activities and programmes of work of the Centre for Human Rights. In addition, regular briefings and discussions are held with both the staff of the Centre and the human rights bodies, i.e. chairpersons of treaty-based bodies, working groups, thematic and country specific special rapporteurs and experts, with a view to ensuring that a gender perspective and gender neutral language are comprehensively included in their work. The High Commissioner has given priority to these activities and provides guidance to the Centre for Human Rights in that regard.

68. There must be strong human rights input to the Fourth World Conference on Women. The Conference should encourage universal ratification of the Convention on the Elimination of All Forms of Discrimination against Women and of all human rights treaties. For basic human rights treaties, such as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, not only contain anti-discrimination provisions but also identify areas of specific gender discrimination which require that State parties enact legal and administrative measures including affirmative action to achieve equality between men and women (see also paras. 101-104 below).

69. The issue of the equal status and rights of women should be systematically analysed by government and non-governmental organizations. Attention should be paid inter alia to the impact of economic adjustment or transitional policies on the rights of women.

70. The recommendations of the World Conference outline the directions of national and international efforts for promoting respect for the rights of the child. To implement these recommendations and achieve the objectives of the Plan of Action of the World Summit for Children, the High Commissioner has developed close cooperation with the agencies and programmes of the United Nations system, especially with UNICEF and the Committee on the Rights of the Child. Achievement of the goal of universal ratification of the Convention on the Rights of the Child in 1995 and its effective implementation is being facilitated through technical assistance and supported in the framework of the aforementioned cooperation.

71. Promoting and protecting the human rights of the child require strengthening the Committee on the Rights of the Child as the key international mechanism monitoring respect for those rights. Taking into account the suggestions and requests of the Committee, the High Commissioner has prepared a plan of action to strengthen substantive support for the Committee's work and provide advisory services and technical assistance when needed to implement the Committee's recommendations. The plan of action was discussed and supported by the Committee on the Rights of the Child at its sessions in October 1994 and in January 1995. It is now under discussion with Governments and will be coordinated with UNICEF and other relevant agencies and institutions. The plan foresees establishing within the Centre for Human Rights an interdisciplinary substantive support team to: assist the Committee on the Rights of the Child in its work of analysing country reports and

developing recommendations; assist States in preparing reports; support field visits by the Committee; and support improved implementation of the Committee's recommendations through advisory services and technical cooperation. (See also para. 106 below).

72. The General Assembly in its resolution 49/192 has given to the High Commissioner a particular responsibility to promote the implementation of the principles contained in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and to continue to engage in a dialogue with Governments concerned for that purpose. In his contacts with Governments and the wider human rights community, the High Commissioner is raising the issue of the rights of persons belonging to minorities, with a view to protecting human rights and promoting better understanding. During some of his country visits, for instance to Estonia, Latvia and Lithuania, the High Commissioner has referred to issues relating to minorities as very difficult human problems. The High Commissioner appealed for full respect of the rights of persons belonging to minorities, as expressed in the Declaration, the International Covenant on Civil and Political Rights and other international instruments, including those adopted by the Conference on Security and Cooperation in Europe. In addition, the High Commissioner appealed for government policies which would respond to the legitimate expectations of all people living in the country and enable everyone to feel secure in their rights. (See also paras. 107-108 below.)

73. The effective protection of the rights of indigenous people is equally important. The High Commissioner has placed emphasis on the preparation of the plan of activities for the International Decade of the World's Indigenous People and participated in the inauguration ceremony of the Decade in December 1994. He is also encouraging work by the Centre for Human Rights on advisory services projects of direct benefit to indigenous people, as called for by the World Conference, and on the preparation of information for the public on the rights of indigenous people. (See also para. 109 below.)

L. Combating the most atrocious human rights violations, such as torture and involuntary disappearances

74. It is essential to implement effectively the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. On 28 June 1994, at the Copenhagen Centre for the Rehabilitation of Victims of Torture, the High Commissioner made a worldwide appeal for the immediate cessation of all forms of torture, the universal ratification of the Convention, and the full implementation of its provisions.

75. In cooperation with the Working Group on Enforced or Involuntary Disappearances and the relevant treaty monitoring bodies, as well as NGOs, the High Commissioner has taken steps to study recommendations for the effective implementation of the Declaration on the Protection of All Persons from Enforced Disappearance.

76. Campaigns for strengthening Member States' assistance to victims of torture and involuntary disappearance, including increased support for the Voluntary Fund for the Victims of Torture, are being carried out. Measures and methods applied in this regard require further examination as to their

efficiency. In cooperation with the World Health Organization (WHO) and NGOs, the Centre will take concrete steps to ensure that principles of medical ethics are made familiar to physicians and other relevant professions. The Committee against Torture, the Working Group on Enforced or Involuntary Disappearances and the Special Rapporteur on the question of torture are to be provided with all the necessary support. Interaction between them and the advisory services and technical assistance programme will be strengthened.

M. Promoting human rights education and public information activities

77. Human rights education and information aimed at creating a universal culture of human rights is an essential element in a long-term strategy to improve respect for human rights. This was recognized by the World Conference on Human Rights. The High Commissioner attaches special importance to that part of his mandate which gives him responsibility for the coordination of relevant United Nations education and public information programmes in the field of human rights.

78. Human rights education is vital for the encouragement of harmonious intercommunity relations, for mutual tolerance and understanding and, finally, for peace. All individuals, all groups and all people should be informed of the rights to which they can aspire and the machinery which exists to protect those rights. In educational activities, special attention should be given to those groups that are in a position to exercise an influence on the human rights of others such as primary and secondary school teachers (the "training of trainers"), magistrates, senior government officials and members of the police and the armed forces.

79. To strengthen interagency cooperation and coordination with regard to human rights education, the High Commissioner brought this issue to the attention of the Administrative Committee on Coordination during its session in 1994. He has also discussed this question with Governments, members of treaty bodies and non-governmental organizations, and stressed the importance of human rights education in the programmes of advisory services and technical cooperation.

80. As requested by the Commission on Human Rights, the High Commissioner, with the contributions of Member States, the treaty bodies, international organizations, competent non-governmental organizations and other relevant organs prepared a plan of action for a United Nations decade for human rights education. The Plan of Action (A/49/261/Add.1, annex) was submitted to the General Assembly (see also para. 123 below), which, in resolution 49/184, proclaimed the 10-year period beginning on 1 January 1995 the United Nations Decade for Human Rights Education and welcomed the Plan of Action for the Decade. The High Commissioner participated in the inauguration ceremony of the Decade in December 1994. In resolution 49/184 also, the General Assembly invited the Secretary-General to submit proposals, taking into account the views expressed by Governments, for the implementation of the Plan of Action. The Assembly also requested the High Commissioner for Human Rights to coordinate the implementation of the Plan of Action, and the Centre for Human Rights and the Commission on Human Rights, in cooperation with Member States, human rights treaty bodies, other appropriate bodies and competent non-governmental organizations, to support efforts of the High Commissioner in

this respect (see also paras. 123-124 below). In this connection, infrastructure for the implementation of the Decade should be established at the earliest possible opportunity. Capacity to meet the needs of the Decade will be created within the Centre for Human Rights. The establishment of national committees for the Decade should be strongly encouraged.

81. A universal culture of human rights depends to a large extent on information being made available to the general public. This is to be accomplished through a revitalized World Public Information Campaign for Human Rights with two major themes: firstly, the need to provide encouragement and support to national efforts by Governments, human rights institutions or non-governmental organizations for activities aimed at disseminating public knowledge of human rights and at providing information as to how anyone can act to protect his or her own rights or the rights of others, and as to the benefits respect for human rights bring to all; secondly, the World Public Information Campaign for Human Rights should also include readily understandable information on what the United Nations does in the field of human rights. The General Assembly called upon the High Commissioner, in resolution 49/187, to coordinate and harmonize human rights information strategies within the United Nations system.

N. Implementing the Vienna Declaration and Programme of Action

82. The full implementation of the Vienna Declaration and Programme of Action is a priority of the United Nations. As the United Nations official with principal responsibility for United Nations human rights activities, the High Commissioner provides policy direction and guidance concerning its implementation, including coordination of efforts to that end. 1/ Cooperation with United Nations agencies and programmes, human rights bodies, regional organizations, national institutions and NGOs aimed at the full implementation of the Vienna Declaration and Programme of Action will be continued. By 15 February 1995, a report will be prepared with a detailed plan of the human and financial resource requirements for the implementation of the recommendations of the Vienna Declaration and Programme of Action, as requested by the General Assembly in resolution 49/208. In this context, the High Commissioner is placing primary emphasis on: (a) the strengthening of human rights organs and bodies; (b) follow-up of their recommendations and decisions; (c) coordination of their participation in the implementation of the Vienna Declaration and Programme of Action. In the same resolution, the General Assembly also requested the High Commissioner to include in his annual report to the Assembly a section on the measures taken and the progress achieved in the comprehensive implementation of the Vienna Declaration and Programme of Action.

83. On 25 June 1994, the High Commissioner invited all Governments and intergovernmental organizations, including regional ones, to inform him annually concerning the implementation of the Vienna Declaration and Programme of Action. The answers are being analysed with a view to continuing cooperation aimed at the realization of the recommendations adopted by the World Conference.

84. On 12 August 1994, the High Commissioner invited national human rights institutions and NGOs to present annually their views concerning the implementation of the Vienna Declaration and Programme of Action. More than 100 national institutions and non-governmental organizations from all regions shared their experience and opinions with the High Commissioner, providing information on activities undertaken to implement the recommendations of the Vienna Conference and on related needs and expectations. Proposals were also made as to activities that could be undertaken by the United Nations. The responses received are being thoroughly reviewed. A debate on the implementation of the Vienna Declaration and Programme of Action will take place during consultation meetings between the High Commissioner and national institutions and non-governmental organizations, which will be a forum for evaluating existing practice and for outlining future objectives and methods of cooperation. Regional meetings with regional/national grass-roots organizations active in the field of human rights and development will have a similar purpose.

85. Also on 12 August 1994, the High Commissioner addressed all the United Nations agencies and programmes with a request for information about their contribution to the implementation of the Vienna Declaration and Programme of Action as well as about follow-up action on the conclusions of the ACC meeting. The substantive responses received, which include specific proposals for joint activities, provide a solid basis for enhancing yet further inter-agency cooperation in the field of human rights.

III. PROGRESS TOWARDS THE FULL IMPLEMENTATION OF THE RECOMMENDATIONS CONTAINED IN THE VIENNA DECLARATION AND PROGRAMME OF ACTION

A. The outcome of Vienna - a promise and challenge to the international community

86. The Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, is a reaffirmation of the solemn commitment of all States to promote and protect all human rights and fundamental freedoms. This document, in essence, charts the course of action of the international community well into the next century. It is a universal document adopted after all nations of the world had the opportunity to seek and determine their own human rights preoccupations, also in the framework of regional and local human rights institutions. It constitutes the crowning piece of a long process of consultation and joint action in which not only Governments participated, but also United Nations organs and bodies, human rights treaty bodies and regional intergovernmental organizations, as well as organizations representing a wide spectrum of civil society, including national institutions and NGOs.

87. The Vienna Declaration and Programme of Action provides the United Nations with a framework of principles and a programme of activities, approved by consensus, to achieve the objectives of the Charter of the United Nations in the field of human rights. The World Conference took an integrated and symmetric approach regarding the protection of human rights.

It identified major obstacles to the implementation of human rights and shortcomings, especially in the international protection of these rights, and specified concrete measures which should help to overcome the existing difficulties.

88. The World Conference on Human Rights reaffirmed the universality of all human rights as the birthright of all human beings. It recognized that their promotion and protection is the first responsibility of Governments and, in the framework of the purposes and principles of the United Nations, constitute a legitimate concern of the international community. The Conference stressed the close interrelationship between democracy, development and respect for human rights and reaffirmed the right to development as a human right. It underlined that all human rights, civil, cultural, economic, political and social, are universal, indivisible, interdependent and interrelated and must be treated globally in a fair and equal manner and with the same emphasis.

89. The General Assembly in its resolution 48/121 of 20 December 1993 endorsed the Vienna Declaration and Programme of Action. In that resolution and in resolution 49/208, the Assembly called upon all States to take further action with a view to the full realization of human rights in the light of the recommendations of the Conference and requested the Secretary-General, the General Assembly, the Commission on Human Rights and other organs and bodies of the United Nations system related to human rights to take further action with a view to the full implementation of all the recommendations of the Conference.

90. The implementation of the Vienna Declaration and Programme of Action requires more than a number of isolated activities. International cooperation and an organizational framework to that end is strongly needed. An updated plan for the implementation of the Vienna Declaration and Programme of Action, enriched by the input of specialized agencies and United Nations programmes, continuously verified in practise, will guide the United Nations activities (see paras. 82-85 above).

91. The World Conference on Human Rights has already had a positive impact on activities in the field of human rights. The international community should continue with determination its efforts to implement fully recommendations which were adopted voluntarily and by consensus by participating Governments. The implementation of the Vienna Declaration and Programme of Action depends primarily on activities at the national level, undertaken by Governments, as well as institutions and organizations representing all parts of civil society. The role of the United Nations is to provide all possible support to these activities in the framework of international cooperation.

B. Universal ratification of human rights instruments

92. The World Conference called for universal acceptance of international human rights instruments, if possible without reservations. Following this call the Secretary-General addressed letters to all Heads of State urging that their Governments accept those principal human rights treaties to which they were not yet a party. The High Commissioner, in his contacts and dialogue with high-level governmental officials, also encourages universal accession to international human rights treaties. The Chairpersons of the human rights

treaty bodies during their fifth meeting welcomed these initiatives 2/. The Chairpersons of the Human Rights Committee and the Committee on the Elimination of Racial Discrimination undertook separate initiatives in which they called upon States of the former Soviet Union to notify their succession to the International Covenant on Civil and Political Rights or the International Convention on the Elimination of All Forms of Racial Discrimination, if they had not yet done so.

93. Although the number of States parties to the international human rights treaties is increasing, too many countries have still not acceded to the international human rights instruments. By way of example, as of 31 December 1994 the International Covenant on Economic Social and Cultural Rights had been ratified by 131 countries and International Covenant on Civil and Political Rights by 129 countries. Worldwide action is being carried out to achieve universal ratification of the Convention of the Rights of the Child by the end of 1995 (in close cooperation with UNICEF) and the Convention on the Elimination of Discrimination against Women by the year 2000, which was the subject of a call by the World Conference. As of 31 December 1994, 168 States had ratified the Convention on the Rights of the Child and 138 States had ratified the Convention on the Elimination of Discrimination against Women.

C. International cooperation and coordination of human rights activities; adaptation and strengthening of United Nations machinery for human rights

94. The Vienna Declaration and Programme of Action stresses the importance of international cooperation in the promotion and protection of human rights and reflects the generally shared view that better coordination of the human rights efforts of the United Nations system is essential to improve their efficiency and effectiveness. The central role in the coordination of human rights activities throughout the United Nations system is played by the High Commissioner (see paras. 46-49 above). A new avenue was opened by the Administrative Committee on Coordination (ACC) at its meeting on 11 and 12 April 1994, in which the High Commissioner participated. Discussing human rights for the first time, and considering the High Commissioner's recommendations for further action, the Committee stressed the need for a permanent dialogue within the system to promote human rights through a systematic exchange of information, experience and expertise. All agencies committed themselves to the implementation of the Vienna Declaration and Programme of Action and to assess the impact of their strategies and policies on the enjoyment of human rights. The members of ACC declared their support for the action taken by the High Commissioner to fulfil his mandate with regard to the system-wide coordination of human rights activities. ACC will continue the examination of this question. Generally, while the initial steps towards better coordination of activities have already been taken, determined efforts in this direction must continue.

95. Adaptation of the United Nations machinery for human rights to current and future needs and its strengthening was perceived by the World Conference as a prerequisite for the implementation of the United Nations human rights programme. Both the General Assembly and the Commission on Human Rights have taken steps in this direction. After the establishment of the post of High

Commissioner for Human Rights the Working Group of the Third Committee of the General Assembly is continuing its work during the current session of the General Assembly to consider other aspects of the implementation of the recommendations of the Vienna Declaration and Programme of Action, as set out in its paragraphs 17 and 18. The Commission on Human Rights, in decision 1994/111, established an informal, open-ended working group to discuss problems related to the reform of this organ. The Chairman will report on the outcome of its session to the Commission at its current session.

96. It is to be borne in mind that the adaptation of the infrastructure of the United Nations human rights programme should be based on interlinkage between: structural reform of the United Nations human rights machinery, a plan of action for the implementation of the Vienna Declaration and Programme of Action, and the provision of adequate human and financial resources. A correlation between these dimensions of the process leading to strengthening of the human rights machinery is indispensable (see paras. 50-54, above).

97. The experience gained in Rwanda (see paras. 29-31, above) requires a careful future oriented analysis from the point of view of the need for logistical support and human resources in actions responding to serious human rights violations. Stand-by arrangements are already being concluded in order to enable the High Commissioner to act more promptly in response to such crises in the future.

D. Racism, racial discrimination, xenophobia and other forms of intolerance

98. The Third Decade to Combat Racism and Racial Discrimination provides the framework for the international activities with regard to elimination of racism and racial discrimination. The General Assembly at its forty-ninth session, in resolution 49/146, adopted a revised plan for implementation of the Programme of Action for the Third Decade.

99. The General Assembly at its forty-eighth session, in resolution 48/126, proclaimed 1995 the United Nations Year of Tolerance. At its forty-ninth session, in resolution 49/213, the Assembly recommended that the specialized agencies, regional commissions and other organizations of the United Nations system consider in their respective forums the contribution they could make to the success of the United Nations Year for Tolerance. The Assembly also requested UNESCO to prepare for the conclusion of the Year a declaration of principles and a programme of action as a follow-up to the Year (see para. 66 above).

100. Problems related to racism, racial discrimination, xenophobia, "ethnic cleansing" and religious and other forms of intolerance are on the agenda of the Third Committee of the General Assembly, the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, and the treaty bodies, in particular the Committee on the Elimination of Racial Discrimination. Special procedures have been established to carry out studies and investigations. The international organs and bodies focus on the analysis of contemporary forms and root causes of these phenomena, with a view of proposing specific methods of combating them. The international norms and rules provide a useful tool for preventing and combating discrimination. However, legislation against racial discrimination

alone is not enough to prevent violations of human rights in this area. The international community should focus on the further implementation of the related human rights instruments and declarations, as well as recommendations of the treaty bodies and special procedures. A periodical complex review of measures adopted to give effect to them is required.

E. Equal status and human rights of women

101. The call of the World Conference for worldwide efforts to ensure the equal status and rights of women has met with a positive response throughout the United Nations system. This objective is also one of the keynotes of the preparation of the Fourth World Conference on Women: Action for Equality, Development and Peace, to be held in Beijing in 1995.

102. United Nations agencies and programmes, human rights organs and treaty bodies, especially the Commission on the Status of Women, the Commission on Human Rights, the Committee on the Rights of Women have taken numerous initiatives against violations of the human rights of women and to promote and protect these rights. The Fourth World Conference on Women is expected to consider the question of integrating the human rights of women into the mainstream of United Nations system-wide activity. The appointment by the Commission on Human Rights in its resolution 1994/45, of a special rapporteur on violence against women, including its causes and its consequences, strengthens the involvement of the special procedures of the Commission on Human Rights in the area of the protection of the rights of women. Issues, which have attracted the particular attention of the United Nations in this context, are: obstacles to the realization of the human rights of women; the elimination of gender-based violence against women in public and private life and measures, ways and means, at the national, regional and international levels, to eliminate violence against women and its causes, and to remedy its consequences; traditional practices affecting the health of women and girl children; cooperation and coordination between relevant United Nations organs and bodies; reflection of the problems related to the human rights of women in the reporting guidelines and procedures of various human rights treaty bodies.

103. The Commission on the Status of Women in its resolution 1994/38/2, entitled "Mainstreaming women's human rights", requested the Secretary-General to assess the preparation of a joint workplan on women's human rights for the Centre for Human Rights and the Division for the Advancement of Women on an annual basis. The coordinated efforts should contribute to a greater effectiveness of the promotion and protection of women's rights.

104. The lack of educational opportunities offered to girls and women have often contributed to reinforcing the traditional female role, denying their full partnership in society. Equal access by women to education and education free from gender stereotypes will be an important part of the United Nations Decade for Human Rights Education.

105. Within the Centre for Human Rights priority has been given to action aimed at ensuring cooperation and coordination with the Division for the Advancement of Women of the Secretariat and other United Nations bodies related to women. The Centre for Human Rights incorporated issues relating to

the human rights of women in all its activities and its publications. Particular account is being taken of the situation of women in the programme of technical assistance in the field of human rights.

F. Persons belonging to vulnerable groups: children, minorities, indigenous people, migrant workers, disabled persons

106. Activities aimed at protection of the rights of the child are developed throughout the United Nations system. Their particular dynamics, if continued, should allow for real progress in the protection of children. A great number of initiatives have been developed by the High Commissioner for Human Rights (see paras. 70-71 above) to implement the recommendations contained in the Vienna Declaration and Programme of Action, which include: (a) the establishment by the Commission on Human Rights, in resolutions 1994/90 and 1994/91 of two open-ended working groups to consider draft optional protocols to the Convention on the Rights of the Child concerning the prevention and eradication of the sale of children, child prostitution and child pornography, and the involvement of children in armed conflicts; (b) steps aimed at a better coordination of United Nations efforts, inter alia, the conclusion of a working agreement between UNICEF and the Centre for Human Rights; (c) strengthening the Centre's capacity with regard to children's rights; (d) system-wide cooperation to pursue the achievement of the objectives set up by the Plan of Action of the World Summit for Children; (e) contacts of the Centre with relevant organizations concerned with the protection of children traumatized by war; (f) a study on children affected by armed conflict.

107. Problems related to national or ethnic, religious and linguistic minorities are widely recognized as one of the major sources of international and internal conflicts involving widespread human rights violations. The international community, including Governments, human rights organs and treaty bodies, as well as non-governmental organizations are taking a number of initiatives to protect effectively persons belonging to minorities. The Commission on Human Rights, in its resolution 1994/22 and the General Assembly in its resolution 49/192, which place emphasis on promoting and giving effect to the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, have provided a strong impetus to the protection of rights of persons belonging to minorities. The examination of peaceful and constructive solutions to situations involving minorities recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in its resolution 1994/4 can lead to relevant conclusions. The General Comment on article 27 of the International Covenant on Civil and Political Rights, adopted by the Human Rights Committee during its fiftieth session (1994) contributed to making more precise the legal obligations with regard to the protection of minorities.

108. Further progress in the field of the protection of minorities depends on concerted efforts by Governments and international and non-governmental organizations aimed at the creation of an open culture, at dissemination of understanding of the richness which exists in a multicultural and multiethnic society. The protection of persons belonging to minorities, based on mutual tolerance and acceptance, promises new perspectives, free of the disasters familiar to many regions of the world. The Centre for Human Rights in close

cooperation with other departments of the Secretariat, United Nations bodies and organs, is developing activities aimed at facilitating the full participation of persons belonging to national or ethnic, religious and linguistic minorities in all aspects of the political, economic, social, religious and cultural life of their societies and in the economic progress and development of their countries (see para. 72 above).

109. The international community reaffirmed in the Vienna Declaration and Programme of Action commitment to the economic, social and cultural well-being of indigenous people and their enjoyment of the fruits of sustainable development. The establishment of a permanent forum for indigenous people within the United Nations, which should be considered by the Commission as a matter of priority, in accordance with General Assembly resolution 48/163, and the eventual adoption of the Declaration on the Rights of Indigenous People will further enhance the system-wide involvement in this area. The Sub-Commission on Prevention of Discrimination and Protection of Minorities has submitted a draft declaration to the fifty-first session of the Commission on Human Rights (E/CN.4/1995/2-E/CN.4/1995/56, resolution 1994/45, annex).

110. The General Assembly, in resolution 48/163, proclaimed the International Decade of the World's Indigenous People. In its resolution 49/214, the Assembly adopted the short-term programme of activities for 1995 and invited Governments to submit comments with a view to the preparation of a final comprehensive programme of action for the Decade. The Centre has recently published a newsletter containing basic information concerning the Decade of the World's Indigenous People.

111. The entering into force of the International Convention on the Rights of All Migrant Workers and Members of their Families is crucial for establishing proper protection of this vulnerable group of people. Therefore, in its resolution 1994/17, the Commission on Human Rights called upon all States to accede to this Convention as a matter of priority. The Secretary-General also has addressed Governments on this issue. And the Commission has invited all organizations and agencies of the United Nations system, as well as intergovernmental and non-governmental organizations to disseminate information on promoting understanding of the Convention. The General Assembly, in its resolution 48/110, called for action to be taken by all countries, trade unions, treaty bodies and non-governmental organizations to protect the human rights of women migrant workers, who are doubly vulnerable because of their gender and their status as foreigners.

112. It is a moral responsibility of society as a whole to ensure that persons with disabilities can enjoy all human rights and fundamental freedoms. However, the question also has economic, organizational, and cultural dimensions and, therefore, the efforts of all actors concerned with human rights and development are necessary to assist disabled persons. The framework for activities dealing with this issue is provided by the World Programme of Action concerning Disabled Persons, the continuing value and validity of which was reaffirmed by the General Assembly in its resolution 48/99. In addition, the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, adopted by the General Assembly in its resolution 48/96, also constitute important guidelines in this respect. They have been brought to the attention of the relevant committees, working

groups and special rapporteurs. Publication of these Standard Rules is expected to sensitize public opinion. The Special Rapporteur appointed by the Commission for Social Development has an important role to play in monitoring the implementation of the Standard Rules. The Asian and Pacific Decade of Disabled Persons, 1993-2002, is an encouraging regional initiative.

G. Torture and enforced disappearance

113. Torture remains one of the most atrocious violations against human dignity and one of the most shameful phenomena. The call of the World Conference for its eradication is not only a political guideline but, first and foremost, a fundamental moral imperative. Human rights organs and treaty bodies have undertaken numerous steps to implement the recommendation contained in the Vienna Declaration and Programme of Action. However, torture and cruel, inhuman or degrading treatment or punishment are still tolerated in many parts of the world. Full support should be given by Governments, the relevant United Nations organs and bodies, international and non-governmental organizations to the specific measures outlined by the Commission on Human Rights in resolution 1994/37, with a view to preventing or combating torture, as well as assisting victims of torture. Also, the Commission's call, in the same resolution, all States to become parties to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment should be heeded. The draft optional protocol to the Convention, under discussion in the open-ended working group of the Commission, envisages an important method of preventing torture. The call of the World Conference for its completion should be implemented at the earliest. The General Assembly, in its resolution 49/177, noted with appreciation the activities of the open-ended working group, while expressing its concern at the pace of its progress in elaborating a draft optional protocol.

114. Involuntary disappearances unfortunately are increasing in various parts of the world, particularly as the consequence of internal conflicts on a large scale. The Commission on Human Rights, in its resolution 1994/39, invited all Governments to take effective steps to prevent and punish the practice of enforced disappearances. In this regard, it recalled that all acts of enforced disappearance are offences punishable by appropriate penalties which take into account their extreme seriousness under criminal law. The Working Group on Enforced or Involuntary Disappearances helps prevent or combat this phenomenon. To that end, Governments concerned should intensify their cooperation with the Group and take action on the recommendations it addresses to them.

H. The right to development, advisory services and technical assistance

115. The World Conference set out the vision of supporting democracy, development and human rights through increased international cooperation.

116. The reaffirmation by consensus that the universal and inalienable right to development, as established in the Declaration on the Right to Development, must be implemented and realized, was one of the major achievements of the World Conference. The Conference gave also priority to the effective implementation of economic, social, and cultural rights. In order to implement the recommendations of the World Conference in this regard, the

United Nations human rights programme is pursuing the following objectives: enhancing cooperation between the Committee on Economic, Social and Cultural Rights and NGOs, as well as relevant United Nations organs and agencies; identifying further social and economic indicators which should facilitate assessing the progressive realization of cultural, economic, and social rights and addressing violations of these rights; establishing a communication procedure with regard to rights laid down in the International Covenant on Economic, Social and Cultural Rights; clarifying the particular content of specific cultural, economic and social rights; formulating comprehensive and effective measures to eliminate obstacles to the implementation and realization of the Declaration on the Right to Development and recommending ways and means towards the realization of the right to development; preparing plans to enable NGOs and grass-roots organizations active in development and human rights to play an increased role in the implementation of the Declaration on the Right to Development; elaborating adequate measures to be implemented in order to find a durable solution to the debt crisis of developing countries. The General Assembly, at its forty-ninth session, in resolution 49/186, reiterated its decision that the approaches to future work within the United Nations system on human rights matters should take into account the content of the Declaration on the Right to Development and the need for the implementation thereof.

117. The forthcoming World Summit for Social Development will address matters of great importance for human rights, in particular cultural, economic, and social rights and the right to development. The High Commissioner and numerous human rights organs and bodies are contributing to the preparatory work for this conference. In this regard, it has been underlined that social development issues are directly connected to human rights and that maintaining and reinforcing high human rights standards will contribute to the achievement of social development worldwide.

118. The United Nations Development Programme has an important role to play with regard to the implementation of the right to development and of cultural, economic and social rights. Its activities can significantly contribute to the implementation of the Vienna Declaration and Programme of Action in this respect.

119. The World Conference put emphasis on developing and building institutions relating to human rights, strengthening a pluralistic civil society and protecting groups which have been rendered vulnerable. The United Nations human rights organs and bodies, in particular the Commission on Human Rights and its Subcommission and mechanisms, the treaty bodies, and the Centre for Human Rights aim, in particular, at: providing assistance to Governments with regard to the development of national structures which have a direct impact on the overall observance of human rights; strengthening the rule of law and the administration of justice; the promotion of freedom of expression; the human rights aspects of elections and participation of the people in decision-making; drawing up related national plans of action.

120. The programme of advisory services and technical assistance through its multidimensional character has an essential place in the United Nations human rights activities. The World Conference on Human Rights stressed the need for it to be strengthened and its resources increased. Upon the request of

States, assistance should be made available for the implementation of comprehensive plans of action to promote and protect human rights, including strengthening human rights institutions and the institutions of democracy, the legal protection of human rights, training of public officials, and broad-based education and public information activities aimed at promoting respect for human rights (see paras. 40-45 above).

I. National institutions and non-governmental organizations

121. The United Nations counts on the support of NGOs, academic communities, members of Parliaments and other parts of civil society. As part of the human rights infrastructure, these institutions are active partners in the realization of the Vienna Declaration and Programme of Action. Their continuing participation in the promotion and protection of human rights is indispensable for worldwide progress in this respect. The General Assembly welcomed the Principles relating to the status of national institutions (resolution 48/134, annex). The Centre for Human Rights offers assistance through training and making available United Nations human rights publications to national institutions and NGOs. It assists States in establishing or strengthening such institutions inter alia through organizing workshops at the regional and subregional levels. The Third International Workshop on National Institutions for the Promotion and Protection of Human Rights, to be held in April 1995 in Manila at the invitation of the Government of the Philippines, should open new avenues for the activities of national institutions. Recently prepared by the Centre for Human Rights, a manual on national institutions for the promotion and protection of human rights will assist States, as well as all those active in this area, in establishing or strengthening their national institutions. The edition by the Centre for Human Rights of an information newsletter will also enhance communication with the wider human rights community.

122. Cooperation with academic institutions should be one of the important vehicles in the implementation of the Vienna Declaration and Programme of Action. A number of such institutions have already offered their cooperation in preparing background policy studies in important human rights areas (for example, prevention of human rights violations, the right to development, economic, social and cultural rights, the protection of minorities, information and documentation). Academic institutions are also ready to cooperate actively in the realization of the United Nations Decade for Human Rights Education and the implementation of the Vienna Declaration and Programme of Action.

J. Education and dissemination of information

123. Following the recommendation of the World Conference, the General Assembly considered the idea of a Decade for Human Rights Education and proclaimed the Decade in its resolution 49/184 (see paras. 77-81 above). The Decade should promote and streamline activities of the international community in the field of human rights education. The Centre for Human Rights, in cooperation with UNESCO and other relevant agencies and bodies, assists Member States to develop specific programmes and strategies for ensuring human rights education for all. In this framework, the development of curricula, pedagogical techniques and teaching materials, such as manuals for primary and

secondary schools, is supported. Manuals for public officials and the general public have been published or are under preparation. In organizing educational and promotional activities the Centre cooperates with the national or regional institutes for human rights, such as the African Centre in Banjul, the Arab Institute for Human Rights in Tunis, the Asia-Pacific Human Rights Center in Osaka, the Instituto de Promoción de Derechos Humanos in Buenos Aries, the Inter-American Institute of Human Rights in San Jose, the International Institute of Human Rights in Strasbourg, the Nordic institutes of human rights in Copenhagen, Lund, Oslo and Turku, the Slovak Human Rights Centre in Bratislava, and others. The revitalized World Public Information Campaign for Human Rights provides the framework for informing people world-wide about the United Nations human rights activities. In the human rights publications programme, preference has been given to publications for use in technical cooperation projects, such as specialized manuals for the training of police, lawyers and judges, election officials and social workers. Emphasis has also been placed on publication of Fact Sheets focusing on priority issues, such as the protection of indigenous populations, the rights of the child, and child exploitation.

124. The Decade for Human Rights Education and the World Public Information Campaign should enhance efforts aimed at the dissemination of knowledge and information on human rights, which should be available to all people worldwide. This is the very foundation of any efforts aimed at the promotion and protection of human rights, at the international and national levels.

125. UNESCO attaches great importance to the implementation of the Vienna Declaration and Programme of Action with regard to education in the field of human rights. A number of projects are carried out or planned jointly with the Centre for Human Rights. The forty-fourth session of the International Conference on Education (3-8 October 1994) took note of the Integrated Framework of Action on Education for Peace, Human Rights and Democracy, which takes into account all related action plans and proposes a conceptual framework and a system of concrete activities to be implemented at the national and international levels. UNESCO and the Centre for Human Rights will assist the High Commissioner in the preparation and issuing of a report on the state of human rights education at the local, national, regional and international levels.

K. Implementation and monitoring

126. While stressing that the implementation of human rights is a primary obligation of Governments, the World Conference paid special attention to the international mechanisms and procedures which should assist the international community in its endeavours in this area. It stressed the importance of preserving and strengthening the system of special procedures, rapporteurs, representatives, experts and working groups of the Commission on Human Rights.

127. The significant role of special procedures established by the Commission on Human Rights and treaty based bodies in human rights implementation was also emphasized at the first meeting of special rapporteurs/representatives/experts and chairmen of working groups on the special procedures (30 May-1 June 1994) and the fifth meeting of persons chairing the human rights treaty bodies (September 1994). They resulted in a

number of important conclusions for the work of the human rights implementation machinery (see also paras. 48-49 above). Periodic meetings of the procedures and mechanisms will enable them to harmonize and rationalize their work.

128. The chairpersons of treaty bodies deplored a growing tendency in the United Nations on the part of bodies concerned with some aspects of human rights to ignore or in some cases to redefine in their activities the standards codified in the international human rights treaties. The intergovernmental organs and treaty bodies should pay close attention to this warning. New perspectives in the implementation of human rights standards have been opened by the endeavours of treaty bodies to develop, within the scope of their respective mandates, procedures aimed at preventing human rights violations. Further efforts in this regard will be encouraged.

129. It must be underlined that adequate human and material resources within the Centre for Human Rights are required to strengthen the system of special procedures and treaty bodies. They are indispensable to provide special rapporteurs, working groups and treaty bodies with the necessary facilities, including a human rights database, easily accessible also by the rapporteurs and experts during their missions.

130. The question of impunity has acquired a growing importance. The initiative taken by the Sub-Commission on the Prevention of Discrimination and Protection of Minorities in its resolution 1994/34 to prepare reports on this issue might contribute to clarifying related problems. One report should deal with the impunity of perpetrators of violations of civil and political rights and another with that of perpetrators of violations of cultural, economic, and social rights.

131. Strengthening the implementation of human rights requires adequate protection of human rights defenders. Therefore, the World Conference called for the speedy completion and adoption of a draft declaration on the rights and responsibilities of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms. It is to be hoped that the several years spent by the Working Group discussing the draft will soon bear fruit in the form of the adoption of a declaration by the General Assembly. The High Commissioner addressed the Working Group on 17 January 1995 and called for the speedy preparation of the final version of the draft declaration.

IV. CONCLUSIONS

132. Today, respect for human rights has become of overriding importance to people all over the world and a central concern in human affairs nationally and internationally. People increasingly judge national authorities and international organizations by how well they respond to the challenge of protecting human rights.

133. Internationally, this dynamic process coming from all societies has given rise to the Vienna Declaration and Programme of Action, the establishment of the post of United Nations High Commissioner for Human Rights and greatly increased calls upon the United Nations system to respond to serious

violations of human rights, prevent their outbreak and to help improve respect for human rights in countries throughout the world. Both the Vienna Declaration and the mandate of the High Commissioner are based on a number of common premises: that respect for human rights is a matter of legitimate concern to the international community; that every person in the world is, on a basis of equality, entitled to enjoy all the human rights enumerated in United Nations standards; that all human rights are interdependent and that economic, social and cultural rights and the right to development deserve particular attention; that democracy, development and human rights are interrelated; that international action to promote human rights must be based on cooperation and undertaken in a balanced, objective and non-selective manner; and that the primary responsibility for protecting human rights rests with Governments.

134. Nationally, the establishment in many countries of national institutions to protect human rights, wide ranging reviews of legislation and practice from the human rights point of view, the strengthening of democratic institutions, the establishment of numerous human rights non-governmental organizations, open public debates on human rights issues, increased ratification of human rights treaties and the growth of requests for technical cooperation in the field of human rights all witness the importance people attach to human rights.

135. Today, a truly global sense of human rights solidarity runs across all borders and reaches to all continents. This is reflected in the large media coverage of violations and in the widely held conviction that the international community has a clear responsibility for effective action to bring them to an end. This increased sensitivity to human rights comes at a time when it is impossible to deny the existence of violations of human rights, whether in the poverty and exclusion found in poor and rich societies alike, or in the horrors of the extreme situations of massive violations, many of which are well documented before United Nations organs. Meeting the need for effective action to bring violations to an end is at the core of our human rights challenge. And it is of first importance to the credibility and success of all international activities that this challenge be met successfully.

136. The Vienna Declaration and Programme of Action, in the 18 months since its adoption, has shown itself to be a dynamic and creative framework for action at all levels to promote and protect human rights. The organs of the United Nations system now place their human rights activities well within the perspective of the Vienna Declaration and have resolved on specific actions to achieve its objectives. Governments have repeatedly stated the relevance of the Declaration to national needs and the importance of cooperating internationally within its framework, especially with the High Commissioner for Human Rights. Nationally and internationally, non-governmental organizations have been inspired by the Declaration and many report adopting new methods and initiating new activities to achieve its objectives.

137. The creation of the United Nations High Commissioner for Human Rights was the most concrete result of the Vienna Declaration and the High Commissioner has taken that Declaration and its objectives as the foundation of his own activities. International cooperation is at the heart of the High

Commissioner's mandate and the High Commissioner has focused significant attention on engaging in a dialogue with all Governments with a view to enhancing respect for human rights. This involves a wide range of activities including action to bring violations to an end and action to prevent the outbreak of serious violations. Prevention has become central to international human rights preoccupations as the international community sees years of development efforts destroyed overnight by outbreaks of serious violations and the generation of refugees, internally displaced persons and mass exoduses. The High Commissioner avails himself of every opportunity to use his diplomacy to obtain results on specific matters with Governments and he also, when circumstances require, uses the many other tools at his disposal, including the provision of human rights technical cooperation, to help prevent violations.

138. The interlinkage of human rights, democracy and development requires a comprehensive and integrated approach to the promotion and protection of human rights on the part of the High Commissioner. He has adopted this approach both in relation to Governments and in his activities of international coordination, in particular within the United Nations system. In order for international efforts to promote human rights to be effective, they must permeate the activities of all international agencies so that each, within its own mandate, can make its own important contribution to the common objective. This is especially true with regard to the right to development and economic, social and cultural rights.

139. One of the important objectives of the United Nations in establishing the post of High Commissioner for Human Rights was to ensure more effective coordination of the numerous activities in favour of human rights throughout the system and to increase the efficiency and strengthen the impact of United Nations human rights machinery. The High Commissioner does not seek to replace existing organs, bodies or procedures, but to strengthen them and better coordinate their activities within the framework of the objectives of the Vienna Declaration. Today's new demands on the United Nations system and the heightened expectations of Governments and public opinion require a more operational approach to the international promotion and protection of human rights and the development of new methods of work and new capacities for action.

140. The High Commissioner for Human Rights has today become a recognized and important part of the United Nations system. The highest policy making bodies have welcomed his initiatives in various fields, have sought to identify ways of cooperating with him and have reacted positively to his suggestions and recommendations. And, in regard to sensitive issues, they have called upon him to make his own contribution to dealing with them.

141. The success of the activities of the human rights programme and of the High Commissioner in the future will depend upon the support and understanding of the international community and the cooperation received from Governments, international organizations, non-governmental organizations and people throughout the world. This must include adequate human and financial resources for the implementation of the Vienna Declaration and Programme of

Action, the activities of the High Commissioner and the Centre for Human Rights. That support will help respond to the hopes and expectations generated by the World Conference on Human Rights and the establishment of the post of High Commissioner for Human Rights and help promote international peace and security and better standards of life in larger freedom as embodied in the Charter of the United Nations.

Notes

1/ See the report of the Secretary-General on the follow-up to the World Conference on Human Rights, submitted to the General Assembly at its forty-ninth session (A/49/668).

2/ See A/49/537.